

Serial No. 10/037,852
63428-063REMARKS

Applicant would like to thank the Examiner for the detailed remarks. Claim 31 has been cancelled, and claim 32 has been amended. Accordingly, claims 5, 6, 13-21, 27, 29, 30, 32, and 33 are pending in the application.

Claim 31 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 31 has been cancelled and the rejection is therefore moot.

Claim 32 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner contends that the device is disclosed as having serrated balls which are clamped between ball halves and that this would lock the balls or not lock them, depending on the clamping force used. The Examiner contends that it is not understood how one ball could ever be free and the other fixed. Amended claim 32 recites that "one of said arms can be pivoted relative to the other of said arms." Thus, each arm and its respective ball can pivot within the socket relative to the other arm and ball, as described in the Specification (e.g., page 3, paragraph 15; page 4, paragraph 21). Claim 32 is in condition for allowance.

Claims 6, 13, 16-18, 20 and 27-33 were rejected under 35 U.S.C. §102(b) as being anticipated by Chen. The Examiner argues that Chen discloses a socket component including the pair of sockets 331, 341 and a pair of opposed inclined edges. The rejection is improper because the rejection fails to consider the correct language of the claims. The rejection recites "opposed inclined edges," however, the claim recites faces, not edges. Accordingly, applicant requests reconsideration under the correct language of the claims or a withdrawal of the rejection.

As best understood in view of the incorrect language considered by the Examiner, the Examiner interprets the opposed inclined edges as the curved surfaces of the inside of the sockets. Respectfully, Applicant disagrees with this interpretation.

Independent claim 13 recites "a socket component including a first clamp half and a second clamp half secured together to form a pair of sockets, said socket component including a bottom surface and a pair of faces each inclined relative to said bottom surface." Although the Examiner is entitled to broad interpretation, the rejection improperly fails to give patentable

Serial No. 10/037,852
63428-063

weight to the distinct and different features of the "pair of sockets" and the "pair of faces" recited in claim 13. Under the Examiner's interpretation, the pair of sockets is the same as the pair of edges. The curved inside walls of the sockets are part of the socket and are not a separate and distinct feature from the sockets. Indeed, claim 13 recites that the *socket component* includes a pair of sockets and a pair of faces that are inclined relative to the bottom surface, *not that the sockets include a pair of faces that are inclined*. Accordingly, the rejection is improper, and claim 13 and its dependents are allowable.

Claims 5, 14-15, 19, and 21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chen in view of Herbermann. The rejected claims depend from patentable independent claim 13 and therefore the rejection is moot. Modifying Chen with Herbermann would not render the claims obvious because, as described above, Chen does not disclose a pair of sockets and a pair of faces that are each inclined relative to the bottom surface of a socket component as recited in applicant's claim 13. Accordingly, claims 5, 14, 15, 9, and 21 are in condition for allowance.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.



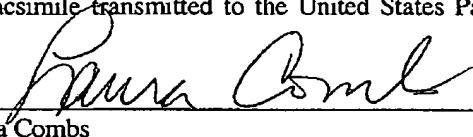
Matthew L. Koziarz, Reg. No. 45,864
400 West Maple Road, Suite 350
Birmingham, Michigan 48009
(248) 988-8360

Dated: June 21, 2006

Serial No. 10/037,852
63428-063

CERTIFICATE OF FACSIMILE

I hereby certify that this response is being facsimile transmitted to the United States Patent and Trademark Office, 571-273-8300 on June 21, 2006.


Laura Combs